

MESSAGE NO: 0087303 MESSAGE DATE: 03/28/2010

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: PRE-Preliminary PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: AFF-Affirmative

FR CITE: 75 FR 11847 FR CITE DATE: 03/12/2010

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-954

EFFECTIVE DATE: 03/12/2010 COURT CASE #:

PERIOD OF REVIEW: 01/01/2009 TO 06/30/2009

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF PRELIMINARY DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF CERTAIN MAGNESIA CARBON BRICKS FROM THE PEOPLE'S REPUBLIC OF CHINA

1. ON 3/12/2010 (75 FR 11847), COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE AND THE POSTPONEMENT OF THE FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF CERTAIN MAGNESIA CARBON BRICKS FROM THE PEOPLE'S REPUBLIC OF CHINA.

2. IMPORTS COVERED BY THIS INVESTIGATION CONSIST OF CERTAIN CHEMICALLY BONDED (RESIN OR PITCH), MAGNESIA CARBON BRICKS WITH A MAGNESIA COMPONENT OF AT LEAST 70 PERCENT MAGNESIA ("MGO") BY WEIGHT, REGARDLESS OF THE SOURCE OF RAW MATERIALS FOR THE MGO, WITH CARBON LEVELS RANGING FROM TRACE AMOUNTS TO 30 PERCENT BY WEIGHT, REGARDLESS OF ENHANCEMENTS, (FOR EXAMPLE, MAGNESIA CARBON BRICKS CAN BE ENHANCED WITH COATING, GRINDING, TAR IMPREGNATION OR COKING, HIGH TEMPERATURE HEAT TREATMENTS, ANTI-SLIP TREATMENTS OR METAL CASING) AND REGARDLESS OF WHETHER OR NOT ANTI-OXIDANTS ARE PRESENT (FOR EXAMPLE, ANTI-OXIDANTS CAN BE ADDED TO THE MIX FROM TRACE AMOUNTS TO 15 PERCENT BY WEIGHT AS VARIOUS METALS, METAL ALLOYS, AND METAL CARBIDES). CERTAIN MAGNESIA CARBON BRICKS THAT ARE THE SUBJECT OF THIS INVESTIGATION ARE CURRENTLY CLASSIFIABLE UNDER SUBHEADINGS 6902.10.1000, 6902.10.5000, 6815.91.0000, AND 6815.99 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS"). WHILE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-570-954.

4. FOR IMPORTS OF CERTAIN MAGNESIA CARBON BRICKS FROM THE PEOPLE'S REPUBLIC OF CHINA, CBP SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS

ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 3/12/2010. EFFECTIVE 3/12/2010, CBP SHALL REQUIRE, FOR ENTRIES OF CERTAIN MAGNESIA CARBON BRICKS FROM THE PEOPLE'S REPUBLIC OF CHINA FROM THE EXPORTER/PRODUCER COMBINATIONS LISTED BELOW, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE ANTIDUMPING DUTY MARGINS SHOWN BELOW:

EXPORTER: RHI REFRACTORIES LIAONING CO., LTD.

PRODUCER: RHI REFRACTORIES LIAONING CO., LTD.

CASE NUMBER: (A-570-954-001)

CASH DEPOSIT RATE: 304.67

EXPORTER: LIAONING MAYERTON REFRACTORIES CO., LTD.

PRODUCER: LIAONING MAYERTON REFRACTORIES CO., LTD.

CASE NUMBER: (A-570-954-002)

CASH DEPOSIT RATE: 132.74

EXPORTER: DALIAN MAYERTON REFRACTORIES CO., LTD.

PRODUCER: DALIAN MAYERTON REFRACTORIES CO., LTD.

CASE NUMBER: (A-570-954-003)

CASH DEPOSIT RATE: 132.74

EXPORTER: DASHIQIAO CITY GUANCHENG REFRACTOR CO., LTD.

PRODUCER: DASHIQIAO CITY GUANCHENG REFRACTOR CO., LTD.

CASE NUMBER: (A-570-954-004)

CASH DEPOSIT RATE: 218.71

EXPORTER: FENGCHI IMP. AND EXP. CO., LTD. OF HAICHENG CITY

PRODUCER: FENGCHI REFRACTORIES CO., OF HAICHENG CITY

CASE NUMBER: (A-570-954-005)

CASH DEPOSIT RATE: 218.71

EXPORTER: JIANGSU SUJIA GROUP NEW MATERIALS CO. LTD.

PRODUCER: JIANGSU SUJIA GROUP NEW MATERIALS CO. LTD.

CASE NUMBER: (A-570-954-006)

CASH DEPOSIT RATE: 218.71

EXPORTER: LIAONING FUCHENG REFRACTORIES GROUP CO., LTD.

PRODUCER: LIAONING FUCHENG REFRACTORIES GROUP CO., LTD.

CASE NUMBER: (A-570-954-007)

CASH DEPOSIT RATE: 218.71

EXPORTER: LIAONING FUCHENG SPECIAL REFRACTORY CO., LTD.

PRODUCER: LIAONING FUCHENG SPECIAL REFRACTORY CO., LTD.

CASE NUMBER: (A-570-954-008)

CASH DEPOSIT RATE: 218.71

EXPORTER: LIAONING JIAYI METALS & MINERALS CO., LTD.

PRODUCER: LIAONING JIAYI METALS & MINERALS CO., LTD.

CASE NUMBER: (A-570-954-009)

CASH DEPOSIT RATE: 218.71

EXPORTER: YINGKOU BAYUQUAN REFRACTORIES CO., LTD.

PRODUCER: YINGKOU BAYUQUAN REFRACTORIES CO., LTD.

CASE NUMBER: (A-570-954-010)

CASH DEPOSIT RATE: 218.71

EXPORTER: YINGKOU DALMOND REFRACTORIES CO., LTD.

PRODUCER: YINGKOU DALMOND REFRACTORIES CO., LTD.

CASE NUMBER: (A-570-954-011)

CASH DEPOSIT RATE: 218.71

EXPORTER: YINGKOU GUANGYANG CO., LTD.

PRODUCER: YINGKOU GUANGYANG CO., LTD.

CASE NUMBER: (A-570-954-012)

CASH DEPOSIT RATE: 218.71

EXPORTER: YINGKOU KYUSHU REFRACTORIES CO, LTD.

PRODUCER: YINGKOU KYUSHU REFRACTORIES CO, LTD.

CASE NUMBER: (A-570-954-013)

CASH DEPOSIT RATE: 218.71

EXPORTER: YINGKOU NEW CENTURY REFRACTORIES LTD.

PRODUCER: YINGKOU NEW CENTURY REFRACTORIES LTD.

CASE NUMBER: (A-570-954-014)

CASH DEPOSIT RATE: 218.71

EXPORTER: YINGKOU WONJIN REFRACTORY MATERIAL CO., LTD.
PRODUCER: YINGKOU WONJIN REFRACTORY MATERIAL CO., LTD.
CASE NUMBER: (A-570-954-015)
CASH DEPOSIT RATE: 218.71

EXPORTER: PRC-WIDE ENTITY
PRODUCER: PRC-WIDE ENTITY
CASE NUMBER: (A-570-954-000)
CASH DEPOSIT RATE: 349.00

5. FOR ALL OTHER ENTRIES OF CERTAIN MAGNESIA CARBON BRICKS FROM THE PEOPLE'S REPUBLIC OF CHINA, THE FOLLOWING CASH DEPOSIT/BONDING INSTRUCTIONS APPLY:

A. FOR ALL PRC EXPORTERS OF CERTAIN MAGNESIA CARBON BRICKS FROM THE PEOPLE'S REPUBLIC OF CHINA WHICH HAVE NOT RECEIVED THEIR OWN RATE, THE CASH-DEPOSIT OR BONDING RATE WILL BE THE PRC-WIDE RATE.

B. FOR ALL NON-PRC EXPORTERS OF CERTAIN MAGNESIA CARBON BRICKS FROM THE PEOPLE'S REPUBLIC OF CHINA WHICH HAVE NOT RECEIVED THEIR OWN RATE, THE CASH-DEPOSIT OR BONDING RATE WILL BE THE RATE APPLICABLE TO THE PRODUCER/EXPORTER COMBINATIONS THAT SUPPLIED THAT NON-PRC EXPORTER.

6. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF CBP, CUSTOMS OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE EQUIVALENT). OTHERWISE, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTIES, CUSTOMS OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND PURSUANT TO T.D. 85-145. YOU ARE INSTRUCTED TO ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING REQUIREMENTS.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202)

482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O9: DG).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

ALICE J. BUCHANAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party